

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**JAMES TAP LIA, CHUOLJOCK TAP
LIA, NYAPAIN LIA, NYAWAI TUT, and
NYAGAI TAP LIA,**

Plaintiffs,

v.

**DOUGLAS COUNTY DEPARTMENT
OF CORRECTIONS, and SOUTHERN
SUDANESE COMMUNITY,**

Defendants.

CASE NO. 4:07CV3105

**MEMORANDUM
AND ORDER**

This matter is before the court on the court's Order to Show Cause (Filing No. 11). The plaintiff, Chuoljock Tap Lia, was ordered to show cause why this case should not be dismissed for lack of prosecution based on the plaintiff's failure to pay the initial partial filing fee assessed in the prisoner payment order. The plaintiff did not respond to the court's show cause order, and the August 10, 2007 deadline has now passed. Therefore, plaintiff, Chuoljock Tap Lia, is dismissed as a party to this case for failure to pay the initial partial filing fee and for noncompliance with a court order.

James Tap Lia, Nyapain Lia, Nyawai Tut, and Nyagai Tap Lia, remain as named plaintiffs in this case. These parties have not paid the filing fee, nor have they moved to proceed In Forma Pauperis ("IFP"). Furthermore, on April 18, 2007, plaintiff, Chuoljock Tap Lia, was notified that the complaint was deficient because it was not signed by James Tap Lia, Nyapain Lia, Nyawai Tut, and Nyagai Tap Lia. On April 30, 2007, Lia filed a new complaint. That complaint was deficient as well. On the signature page of the new complaint the names "James Tap Lia, Nyapain Lia, Nyawai Tut, and Nyagai Tap Lia" were printed in what appears to be Chuoljock Tap Lia's handwriting. However, James Tap Lia,

Nyapain Lia, Nyawai Tut, and Nyagai Tap Lia have not actually signed the complaint as required under Federal Rule of Civil Procedure 11. Accordingly, the remaining plaintiffs are dismissed from this action.

IT IS ORDERED:

1. That the plaintiffs' complaint and this action are dismissed without prejudice;
2. Chuoljock Tap Lia remains obligated to pay the full filing fee in accordance with this court's prior order, filing no. 7; and
3. A separate judgment will be entered.

DATED this 23rd day of August, 2007.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge